

EXHIBIT (A)

12-12020-mg Doc 1184 Filed 08/16/12 Entered 08/16/12 14:47:35 Main Document
Pg 2 of 9

I. BACKGROUND

Jackson commenced a lawsuit (the "Jackson Litigation") against GMAC Mortgage Corporation ("GMAC Mortgage") earlier this year in Alabama state court before GMAC Mortgage filed its chapter 11 petition in this Court. After Jackson filed her complaint, the Debtors proceeded to foreclose on Jackson's home (the "Property").¹ GMAC Mortgage removed the Jackson Litigation to the United States District Court for the Southern District of Alabama based on diversity jurisdiction. The Debtors then filed a motion to dismiss Jackson's claims. The motion to dismiss remains pending and no discovery schedule has been set. Declaration of Jennifer Scoliard (the "Scoliard Declaration") ¶ 14 (ECF Doc. # 1022, Ex. 1). The case has now been stayed as a result of GMAC Mortgage's bankruptcy filing. Jackson's Motion seeks to modify the automatic stay to allow her to pursue the Jackson Litigation against GMAC Mortgage.

THIS CASE AND ISSUE WAS REMOVED FROM MOBILE COUNTY CIRCUIT COURTS PERTAINING TO ALL ISSUED INVOLVING THIS ISSUE AND THE CASE" AND THE DEFENDANTS KNEW THIS.

THIS CASE WAS STAYED IN THE UNITED STATES DISTRICT COURTS UNDER JUDGE DOBOSE UNDER DIVERSITY JURISDICTION.

JUDGE MAHONEY DID NOT ISSUE A JUDGEMENT OR MOTION TO DISMISS THIS CASE SO THAT PLAINTIFF CAN GET AN ILLEGAL EJECTMENT" VIOLATING FEDERAL LAWS" AS WELL AS STATE LAWS.

Sturdivant v. BAC Home Loans, LP, [Ms. 2100245, Dec. 16, 2011] _ So. 3d _ (Ala. Civ. App. 2011). In Sturdivant, BAC Home Loans, LP ("BAC"), initiated foreclosure proceedings on the mortgage encumbering Bessie T. Sturdivant's house before the mortgage had been assigned to BAC.

EXHIBIT (B)

IN THE CIRCUIT COURT OF MOBILE, ALABAMA

CORLA JACKSON
Plaintiff,

v.
GMAC MORTGAGE CORPORATION
Defendant.

NO.: CV 2012-00049

NOTICE OF FILING NOTICE OF REMOVAL

Notice is hereby given, pursuant to the provisions of 28 U.S.C. §§ 1441 et seq., that Defendant GMAC Mortgage, LLC ("GMAC") has on this, the 23 day of February, 2012, filed with the United States District Court for the Southern District of Alabama, Southern Division, a Notice of Removal of the above-captioned case from the Circuit Court of Mobile County, Alabama to the United States District Court for the Southern District of Alabama, Southern Division. A copy of the Notice of Removal is attached hereto as Exhibit A.

DATED this the 23rd day of February, 2012

/s/ Jon H. Patterson
Jon H. Patterson (PAT066)
jpatterson@babc.com
BRADLEY ARANT BOULT CUMMINGS LLP
One Federal Place
1819 Fifth Avenue North

1

Sturdivant v. BAC Home Loans, LP, [Ms. 2100245, Dec. 16, 2011] _ So. 3d _ (Ala. Civ. App. 2011). In Sturdivant, BAC Home Loans, LP ("BAC"), initiated foreclosure proceedings on the mortgage encumbering Bessie T. Sturdivant's house before the mortgage had been assigned to BAC.

Birmingham, AL 35203-2104
Telephone: (205) 321-8000
Facsimile: (205) 488-6403

ATTORNEY FOR DEFENDANT GMAC
MORTGAGE, LLC

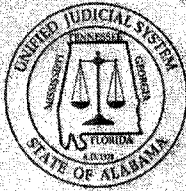
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served on the following counsel of record by placing same in the United States mail, postage prepaid, addressed as follows on this, the 23rd day of February, 2012

Corla Jackson
13230 Tom Gaston Road
Mobile, Alabama 36695
Pro Se Plaintiff

/s/ Jon H. Patterson
OF COUNSEL

Sturdivant v. BAC Home Loans, LP, [Ms. 2100245, Dec. 16, 2011] _ So. 3d _ (Ala. Civ. App. 2011). In Sturdivant, BAC Home Loans, LP ("BAC"), initiated foreclosure proceedings on the mortgage encumbering Bessie T. Sturdivant's house before the mortgage had been assigned to BAC.



AlaFile E-Notice

02-DV-2012-902844.00

Judge: GEORGE N. HARDESTY, JR.

To: JACKSON CORLA (PRO SE)
13230 TOM GASTON ROAD
MOBILE, AL 36695-0000

NOTICE OF ELECTRONIC FILING

IN THE DISTRICT COURT OF MOBILE COUNTY, ALABAMA

QMAC MORTGAGE, LLC V. CORLA JACKSON
02-DV-2012-902844.00

The following matter was FILED on 7/1/2013 7:32:16 AM

Notice Date: 7/1/2013 7:32:16 AM

JOJO SCHWARZAUER
CIRCUIT COURT CLERK
MOBILE COUNTY, ALABAMA
205 GOVERNMENT STREET
MOBILE, AL 36644

251-574-8525
jo.schwarzauer@alacourt.gov

ELECTRONICALLY FILED
7/1/2013 7:32 AM
DV-2012-902844-00
CIRCUIT COURT OF
MOBILE COUNTY, ALABAMA
JOJO SCHWARZAUER, CLERK

IN THE DISTRICT COURT OF MOBILE COUNTY, ALABAMA

GMAC MORTGAGE, LLC,

Plaintiff,

v.

JACKSON CORLA,

Defendant.

Case No.: DV-2012-902844-00

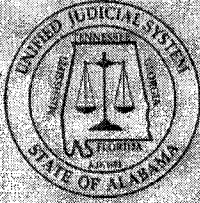
ORDER

THIS CASE IS AN ACTION BY A MORTGAGE FINANCE COMPANY (THE PLAINTIFF) TO EVICT A TENANT (THE DEFENDANT) OCCUPYING PROPERTY UPON WHICH THE PLAINTIFF FORECLOSED AND TO WHICH THE PLAINTIFF OBTAINED TITLE BY VIRTUE OF SAID FORECLOSURE. THIS ACTION WAS FILED UNDER THE ALABAMA UNIFORM LANDLORD TENANT ACT (SECTION 35-9A-101, ET SEQ., CODE OF ALABAMA, 1975) AND ALABAMA'S UNLAWFUL DETAINER LAW (SECTION 6-6-310, CODE OF ALABAMA, 1975). FROM THE EVIDENCE PRESENTED, THERE IS NO INDICATION THAT A "LEASE" EXISTED BETWEEN THE PARTIES DIRECTLY INVOLVED HERE. AFTER A CAREFUL, DETAILED, AND DELIBERATE REVIEW OF THE EXTENSIVE PLEADINGS FILED HEREIN, THE TESTIMONY AND ARGUMENT PRESENTED AT THE TRIAL OF THIS CASE, AND LEGAL RESEARCH OF THE APPLICABLE STATUTES AND CASE LAW, THE COURT IS LEFT WITH THE CONCLUSION THAT THE INSTANT CASE IS NOT RIPE FOR RESOLUTION AS AN "EVICTION" ACTION AS FILED, BUT MAY BE APPROPRIATE AS AN "EJECTMENT" ACTION OR OTHER LEGAL PROCEEDING. CONSEQUENTLY, THE COURT ENTERS JUDGMENT IN FAVOR OF THE DEFENDANT.

DONE this 1st day of July, 2013

/s/ GEORGE N. HARDESTY, JR.

DISTRICT JUDGE



AlaFile E-Notice

02-CV-2013-902219.00

Judge: JOSEPH S. JOHNSTON

To: JACKSON CORLA (PRO SE)
13230 TOM GASTON ROAD
MOBILE, AL 36695-0000

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

GMAC MORTGAGE, LLC V. CORLA JACKSON
02-CV-2013-902219.00

The following matter was FILED on 1/7/2014 9:56:08 AM

Notice Date: 1/7/2014 9:56:08 AM

JOJO SCHWARZAUER
CIRCUIT COURT CLERK
MOBILE COUNTY, ALABAMA
205 GOVERNMENT STREET
MOBILE, AL 36644

251-574-8420
jo.schwarzauer@alacourt.gov

FILED
1/7/2014 9:58 AM
03-CV-2013-902219-00
CIRCUIT COURT OF
MOBILE COUNTY, ALABAMA
JOJO SCHWARZAUER, CLERK

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

GMAC MORTGAGE, LLC,
Plaintiff,

V.

JACKSON CORLA,
Defendant.

)
)
)
) Case No.: CV-2013-902219.00
)
)
)

ORDER

This cause came before the Court on the Defendant's Motion for Objection of Ejectment and Contract of Ejectment on December 13, 2013. After hearing detailed argument presented by Pro se Defendant and opposed by Ritchie Prince, Esquire, for the Plaintiff, the Court is of the opinion that Defendant failed to carry her burden of proof and/or to present sufficient evidence indicating that Plaintiff's pending ejectment claim should be dismissed. Therefore, Defendant's above-referenced motion is hereby **DENIED.**

DONE this 7th day of January, 2014.

/s/ JOSEPH S. JOHNSTON
CIRCUIT JUDGE

CERTIFICATE OF SERVICE

I certify that on January 13, 2014 a true and correct copy of this motion was served to each person listed below.

Number Of Pages: 16

THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DIVISION OF NEW YORK
ONE BOWLING GREEN
NEW YORK, NEW YORK.10004-1408

GMAC MORTGAGE CORPORATION, ET AL

GMAC MORTGAGE LLC

1587 Northeast Expressway
ATLANTA, GA. 30329

STATE OF ALA MOBILE CO.
HEREBY CERTIFY THIS
PLEADING WAS FILED ON
2014 JAN 13 PM 3:45
Jop Adams
CLERK CIRCUIT COURT

Corla Jackson 1/13/2014
Corla Jackson
Corla Reeves Jackson Date: 1/13/2014
Corla Reeves Jackson 1/13/2014
13230 Tom Gaston Road

Mobile, Alabama. 36695

Phone: 251.554.1785

Sturdivant v. BAC Home Loans, LP, [Ms. 2100245, Dec. 16, 2011] _ So. 3d _ (Ala. Civ. App. 2011). In Sturdivant, BAC Home Loans, LP ("BAC"), initiated foreclosure proceedings on the mortgage encumbering Bessie T. Sturdivant's house before the mortgage had been assigned to BAC.